

JAN. 15. 2008 3:50PM SIMPLEXGRINNELL/LEGAL

NO. 790 P. 1

PTO/SB/21 (01-08)

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FORM

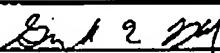
(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission 6

Application Number	10/074,814
Filing Date	February 13, 2002
First Named Inventor	Hubert
Art Unit	1751
Examiner Name	Webb, Gregory E.
Attorney Docket Number	8036(1)

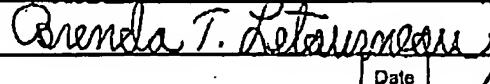
ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> Alter Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <input type="checkbox"/> Refund Request
Remarks		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Tyco Safety Products		
Signature			
Printed name	Gerald M. Bluhm		
Date	1/15/08	Reg. No.	44,035

## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature	VIA FACSIMILE 571-273-6500 		
Typed or printed name	Brenda T. Letourneau	Date	1/15/2008

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Adjustment Date: 02/06/2008 HGBREM1  
01/09/2008 PCHOMP 00000013 191346 10074814  
01 FC:1814 130.00 CR

Application No.: 10/074,814

1814

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re:	Hubert et al.	Confirmation No:	8084
Serial No:	10/074,814	Group:	1751
Filed:	February 13, 2002	Examiner:	Webb, Gregory E.
For:	AQUEOUS FOAMABLE CONCENTRATES AND METHODS		

REFUND REQUEST

VIA FACSIMILE: (571)273-6500  
ATTENTION: REFUNDS  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

On May 25, 2007, Applicants filed a Terminal Disclaimer for the above-referenced application. At that time, the Terminal Disclaimer fee in the amount of \$130.00, as set forth in 37 CFR 1.20(d), was charged to our Deposit Account Number 19-1346. A copy of the Fee Calculation Sheet for Payment of Terminal Disclaimer is attached.

The Terminal Disclaimer was subsequently disapproved. A copy of the U.S. Patent and Trademark Office internal document reflecting this disapproval is attached.

On January 8, 2008, the Terminal Disclaimer was filed for the second time, this time by the attorney of record. A copy of the Fee Calculation Sheet for Payment of Terminal Disclaimer is attached indicating the fee was paid on May 25, 2007. However, the Terminal Disclaimer fee in the amount of \$130.00 was again charged to our Deposit Account Number 19-1346.

8036(1) US

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NO. 790 P. 3

Application No.:10/074,814

Applicants respectfully request that a refund of the \$130.00 Terminal Disclaimer Fee charged on January 8, 2008, be refunded to our Deposit Account #19-1346.

Respectfully submitted,

By Gerald M. Bluhm

Gerald M. Bluhm  
Registration No.: 44,035  
Tel.: 978-731-7244  
Fax: 978-731-7841

50 Technology Drive  
Westminster, MA 01441  
Date: 1/15/08

8036(1) US

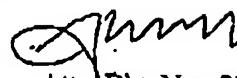
2 of 2

PAGE 3/6 \* RCVD AT 1/15/2008 3:54:05 PM (Eastern Standard Time) \* SVR:USPTO-EFXRF-5/26 \* DNIS:2736500 \* CSID: \* DURATION (mm:ss):00:56

JAN. 15. 2008 3:50PM SIMPLEXGRINNELL/LEGAL  
May 25 07 10:33a Jay Hoette

NO. 790 P. 4  
4) 584-4061 p.3

Please enter.



PATENT  
Atty. Dkt No.: 8036US2 (SPLG 2057US2)

IN THE UNITED STATES OFFICE OF PATENTS AND TRADEMARKS

Applicant: Hubert, et al.

Art Unit: 1751

Serial No.: 10/074,814

Examiner: Webb, Gregory E.

Filed: February 13, 2002

For: AQUEOUS FOAMABLE  
CONCENTRATES AND METHODS

Fee Calculation Sheet for Payment of Terminal Disclaimer

Mail Stop: AMENDMENT  
Assistant Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants respectfully submit the attached Terminal Disclaimer and Response for the above referenced application.

The Commissioner is hereby authorized to charge Deposit Account Number 19-1346 for the Terminal Disclaimer fee in the amount of \$130.00, as set forth in 37 CFR 1.20(d). Additionally, the Commissioner is hereby authorized to charge any additional fees or credit any overpayment to Deposit Account Number 19-1346. A duplicate copy of this letter is enclosed.

Respectfully submitted,

Date: May 25, 2007



Dean D. Small, Reg. No. 34,730  
THE SMALL PATENT LAW GROUP LLP  
611 Olive Street, Ste. 1611  
St. Louis, Missouri 63101  
(314) 584-4081

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SIMPLEXGRINNELL/LEGAL

NO. 790 P. 5

<b>Application Number</b> 	<b>Application/Control No.</b> 10/074,814	<b>Applicant(s)/Patent under Reexamination</b> HUBERT ET AL.
<b>Document Code - DISQ</b>		<b>Internal Document – DO NOT MAIL</b>

<b>TERMINAL DISCLAIMER</b>	<input type="checkbox"/> APPROVED	<input checked="" type="checkbox"/> DISAPPROVED
Date Filed : 5/25/07	This patent is subject to a Terminal Disclaimer	

**Approved/Disapproved by:**

debbie [REDACTED] not on record

U.S. Patent and Trademark Office

JAN. 15. 2008 3:50PM SIMPLEXGRINNELL/LEGAL

NO. 790 P. 6

Application No.: 10/074,814

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re:	Hubert et al.	Confirmation No:	8084
Serial No:	10/074,814	Group:	1751
Filed:	February 13, 2002	Examiner:	Webb, Gregory E.
For:	AQUEOUS FOAMABLE CONCENTRATES AND METHODS		

FEES CALCULATION SHEET FOR PAYMENT OF TERMINAL DISCLAIMER

VIA FACSIMILE: (571)273-8300  
Mail Stop: AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Applicants respectfully submit the attached Terminal Disclaimer for the above-referenced application.

The Terminal Disclaimer fee in the amount of \$130.00, as set forth in 37 CFR 1.20(d), was paid on May 25, 2007. Therefore, it is believed that no additional fees are needed.

Additionally, the Commissioner is hereby authorized to charge any additional fees or credit any overpayment to Deposit Account Number 19-1346.

Respectfully submitted,

50 Technology Drive  
Westminster, MA 01441  
Date: 1/8/08

By Gerald M. Bluhm  
Gerald M. Bluhm  
Registration No.: 44,035  
Tel.: 978-731-7244  
Fax: 978-731-7841

8036(1) US